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# Assisting the Government of Iraq in Implementing the Additional Protocol

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## Assisting the Government of Iraq in Implementing the Additional Protocol<sup>1</sup>

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The United States Department of Energy (DOE) National Nuclear Security Administration's (NNSA), in support of U.S. policy for universal adherence of the Model Additional Protocol (AP), supports AP implementation assistance in many partner countries around the world. The AP, so called because it is *additional* to a state's safeguards agreement, is an important component of the nonproliferation regime because it provides the IAEA with additional information and authority to investigate nuclear and nuclear-related activity in a country. In 2010, NNSA's International Nuclear Safeguards and Engagement Program (INSEP), the lead coordinator for this assistance in the U.S. Government (USG), responded to a State Department request for AP implementation assistance for the Government of Iraq, which had signed and agreed to provisionally implement the AP in January 2010.

In 2010 and 2011, INSEP led two workshops focused on providing technical consultations to stakeholders in the Government of Iraq (GOI) on implementing the Additional Protocol (AP). The first workshop was held over four days in May 2010 at the Cooperative Monitoring Center in Amman, Jordan; and the second was held over three days in April 2011 at the International Atomic Energy Agency in Vienna, Austria. During each workshop, U.S. participants from the DOE NNSA, representatives from Iraqi Ministry of Science and Technology (MOST), and officials from the International Atomic Energy Agency (IAEA) were present.<sup>2</sup> NNSA's International Nuclear Safeguards and Engagement Program (INSEP) organized each event and invited subject-matter experts from the U.S. national laboratory complex<sup>3</sup> and IAEA safeguards specialists to conduct the technical consultations. In December 2010, the United Nations, recognizing that the GOI had complied with nonproliferation-related Security Council requirements, including signature and provisional implementation of the AP, lifted sanctions levied against Iraq for 20 years. This paper provides a summary of events, observations and lessons learned covering the May 2010 and April 2011 workshops.

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<sup>2</sup> In the first workshop, two representatives from Iraq's Ministry of Foreign Affairs were also present.

<sup>3</sup> Argonne National Laboratory, Brookhaven National Laboratory, Lawrence Livermore National Laboratory, Oak Ridge National Laboratory, Pacific Northwest National Laboratory.

## BACKGROUND

After Iraq invaded Kuwait in 1990, the United Nations Security Council agreed to numerous resolutions that, among other things, placed sanctions against Iraq that had been in place for twenty years. The Security Council did not agree to lift these sanctions until the Government of Iraq took specific steps to adhere to global nonproliferation laws and international norms, such as signing the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

To demonstrate Iraq's commitments to nonproliferation, Iraq signed in 2008 the Additional Protocol to its comprehensive safeguards agreement. In February 2010, Iraq notified the IAEA that it would provisionally implement the AP pending its entry into force (a state that agrees to *provisional implementation* agrees to act as if the agreement is in force until it is ratified and formally brought into force). The Security Council welcomed this move while underlining the importance of ratification and requesting that the IAEA inform the Council on the quality of Iraq's cooperation with the IAEA, including the provisional implementation of the AP.

In December 2010, the Security Council took note of, *inter alia*, the IAEA Director General's comments that the Agency had received "excellent cooperation" from Iraq regarding adherence to its safeguards commitments. The Council, while continuing to urge Iraq to ratify the Additional Protocol, agreed to terminate the WMD, missile and civil nuclear-related measures imposed in 1991 in Resolutions 687 and 707.<sup>4</sup>

At the time this paper was written in June 2011, Iraq had yet to ratify the AP.

## WORKSHOP 1: AMMAN, JORDAN

The first workshop was held over four days in May 2010 at the Cooperative Monitoring Center in Amman, Jordan. Representatives from the U.S. Department of Energy and the national laboratories, the Iraqi Ministry of Science and Technology and Ministry of Foreign Affairs, and the IAEA attended and participated. As is typical for INSEP-based engagement with international partners interested in AP assistance, the workshops are designed to run in sequence. In this case, the purpose of the first was to introduce the safeguards system with an emphasis on strengthened safeguards, provide an overview of the Additional Protocol, coupled with a detailed brief on Article 2 requirements, describe the declaration process while highlighting the use of software tools to assist the process, and collaborate on developing an AP roadmap designed to guide Iraq through implementation.

Equally important and valuable, the Iraqi delegation, consisting largely of personnel from the Iraqi National Monitoring Directorate (INMD)<sup>5</sup>, a division of MOST, provided a status update of Iraq's nuclear-related bona fides, a description of relevant organizational infrastructure within the Iraqi government

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<sup>4</sup> See United Nations Security Council, S/RES/1957 (2010).

<sup>5</sup> According to a member of the Iraqi delegation, the INMD is expected to become the Iraqi National Monitoring Authority, an organization independent of MOST and under the responsibility of the Prime Minister's office.

and an overview of the limited present nuclear activities in the country. In advance of the meeting, the INMD had prepared an early draft of its AP declaration, which it was prepared to share at the meeting. Aside from demonstrating a strong commitment to nonproliferation, the sharing of the draft declaration provided the INMD an excellent opportunity to receive on-the-spot feedback from the IAEA. At the end of the four-day session, the INMD's early draft was closer to becoming a final draft.

In closing the first workshop, the USG and the GOI discussed potential follow-up activities. The activities identified included assistance in establishing a national inspection regime, a research and export-control tracking system, a "train-the-trainer" outreach program and a licensing program; training on policymaker awareness, Protocol Reporter and AP Declaration Helper software, declaration submittals and complementary access (CA); and continuing education on declaration decision-making.

## WORKSHOP 2: VIENNA, AUSTRIA

The second workshop, held over three days in April 2011 at the International Atomic Energy Agency in Vienna, Austria, covered two of the several areas identified in the previous engagement.

Representatives from the U.S. Department of Energy and the national laboratories, the Iraqi Ministry of Science and Technology, and the IAEA attended and participated. The first area centered on a detailed overview of complementary access, including participating in a CA exercise. Up to the point of this training, the INMD delegation clearly understood CA broadly. Given the recent U.S. experience in training national laboratory persons in implementing the Additional Protocol, the U.S. delegation, in partnership with IAEA counterparts, described complementary access in detail and took the Iraqi representatives through a mock CA visit. In many respects, the modules and exercise were very similar to what the national laboratories experienced a few years earlier. The modules and exercise helped expand the participants understanding of CA and highlighted areas that required deeper explanation, which Arabic-speaking IAEA representatives were able to provide.

The second area centered on providing the INMD representatives guidance on how to prepare an outreach plan to raise AP-awareness and understanding across the government, in academia and in the private sector.

Again, the GOI attended the meeting well prepared, providing the IAEA and U.S. delegation with a thorough briefing, essentially an update to the previous year's briefing. They also were willing to share the most recent version of its unofficial declaration. The U.S. representatives did not participate in discussions on the state of this declaration.

While the primary purpose of the second workshop was to address a selection of the aforementioned follow-up topics, the USG and GOI also recognized the value of having the engagement located at the IAEA. Not only did the venue allow for broader IAEA participation from representatives in the operations and training divisions of the Department of Safeguards and affirm the USG's support for IAEA participation when and where appropriate, it also allowed the USG and GOI to conduct bilateral meetings with the IAEA. During the USG's bilateral meeting, the U.S. requested and received constructive IAEA feedback on U.S. AP-related engagement efforts with the GOI and other global partners.

The IAEA also informed the Iraqi representatives that it could pursue equipment procurement through the Agency's Technical Cooperation program. The USG also emphasized the possibility of assisting the GOI with specific procurement needs (e.g. seals).

#### NEXT STEPS

The GOI continues to be interested in AP implementation assistance in partnership with the USG. Possible follow-up activities include collaborating on developing a national inspection regime, a licensing authority and an outreach program.